PRIVILEGED AND CONFIDENTIAL
ATTORNEY'S WORK PRODUCT

November 23, 1992

MEMORANDUM

Re: Meetings in San José Relating to the ETS Consultants Program

This memorandum summarizes the results of meetings in San José on November 16 and 17 with Diane Leiva, Edgar Cordero, Gilberto Barrantes, Orlando Schoenstedt and Msc. Maria Rosario Alfaro. The meetings focused on activities relating to ETS that might be undertaken during 1993 in Costa Rica and Guatemala with the scientific consulting resources that are available to us in those countries. Among the items discussed during the San José meetings were the following:

1. Smoking Restriction Status. The industry representatives reviewed briefly during our meetings the situation with respect to smoking restrictions in Costa Rica, Guatemala and Panama. They noted that smoking is banned by decree in most workplaces in Costa Rica but that the ban is not being enforced. A proposal pending in the Costa Rica Congress reportedly would add penalties, thus increasing the likelihood of enforcement. The proposal appears, however, to have little chance of approval under the current government. The industry representatives noted, in addition, that there has not recently been much antismoking agitation in Costa Rica. In fact, the antismokers have been focusing primarily on university students, apparently with the hope of motivating

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the students at some point in the future to exert pressure on the Costa Rican Congress to enact antismoking legislation.

Mr. Schoenstedt pointed out during our meeting that smoking has been forbidden in most public places, workplaces and transit facilities in Guatemala since 1990. Technically, the Guatemalan law extends even to homes and privately-owned vehicles. As in Costa Rica, however, the smoking restriction law has never been enforced, largely because the law itself does not contain penalty provisions and regulations have never been issued adding penalties. Mr. Schoenstedt noted that the industry has no particular reason to believe that regulations will be issued anytime soon. The industry is monitoring the situation closely, however, and continues to be concerned.

The industry representatives also mentioned during our meetings that smoking restriction legislation, affecting both public places and workplaces, currently is being discussed in Panama. Additional information about the Panama situation, including the industry's defensive strategy, obviously would be useful.

2. Central American Field Study. We discussed at length during our meetings in San José the status of the Central American Field Study, which is to be undertaken by Ms. Alfaro and Dr. Gonzalez. The total cost of the study, which will be conducted under the auspices of the Center for Indoor Air Research ("CIAR"), is US$136,000, of which US$60,000 is being contributed by the BAT companies in Guatemala, Panama,

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El Salvador, Nicaragua, Honduras and Costa Rica and US$50,000 is being contributed by PMI. The remaining US$26,000 is expected to be charged against the central budget for the ETS Consultants Program.

Ms. Alfaro and Dr. Gonzalez have nearly completed site selection for the Central American Field Study. A list of the government buildings that will be studied in Costa Rica is attached. Ms. Alfaro agreed to provide to us within the next couple of weeks a complete, or virtually complete, list of sites in each of the target countries.

The plan in Costa Rica is to study ten offices (including the government offices identified on the attached list) and ten restaurants. Ms. Alfaro also initially hoped to include two hospitals in the study but labor unrest in the hospitals has now made those sites somewhat problematic. Most of the Costa Rican sampling will be conducted in San José, with only limited sampling being conducted in Heredia (two buildings) and Alajuela (two buildings).

The sampling plan for Guatemala, Panama, El Salvador, Nicaragua and Honduras is described in the attached study proposal, which is in the form that was submitted to CIAR. Ms. Alfaro noted during our meeting that she has made contact with university acquaintances in Panama, El Salvador, Nicaragua and Honduras to obtain assistance in selecting sampling sites in those countries. Ms. Alfaro believes that having university endorsement of the study in each of the countries

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in which sampling will take place also will facilitate movement of the sampling equipment through Customs and promotion of the study's results.

Ms. Alfaro agreed to provide to us within the next two weeks a list of the dates on which she and Dr. Gonzalez expect to conduct sampling in each of the target countries, assuming the sampling equipment arrives in time for field work to begin during the week of January 4. To meet that target starting date and minimize Customs charges on the sampling equipment, the equipment (as well as any chemicals needed for analysis) must arrive in Costa Rica by December 20, at the latest. The reason is that the Christmas holidays at Ms. Alfaro's university are scheduled to extend from December 20 to January 11, and no one will be at the university during that period to assist with Customs. Additionally, many Costa Ricans go on vacation for much of February, so any delay in the receipt of the sampling equipment is likely to prolong the field work in an undesirable manner.

Ms. Alfaro is scheduled to accompany Chris Proctor to Brazil during the week of December 3. The purpose of the visit is to familiarize Ms. Alfaro with the sampling equipment that will be used in the Central American Field Study, to permit her to observe a portion of the sample analysis phase of the Brazilian study and to review details of the sampling process in a number of representative buildings. Even with the trip to Brazil, Ms. Alfaro agrees that Chris Proctor

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should plan to be in Costa Rica as the sampling begins there to assist with sample analysis. She also agreed that split samples should be sent to our consultants in Brazil, and possibly the United States, for quality control purposes. Ms. Alfaro believes that Dr. Gonzalez, who will be responsible for the microbial portion of the study, is sufficiently experienced in that area that no elaborate check on his work should be needed -- other than a visit by Chris Proctor to Dr. Gonzalez's laboratory as the microbial samples are being analyzed.

We discussed during our meetings in San José how results of the Central American Field Study should be published and promoted. Ms. Alfaro indicated that she would like to submit the study results to a journal published in the United States, in part because such journals are widely regarded in Costa Rica as being preeminent sources of scientific information. We also agreed that pertinent governmental officials in Costa Rica as well as in the other countries included in the study should be briefed on the study results prior to publication. The reason, in short, is to avoid important government officials feeling that they somehow had been "sandbagged."

Ms. Alfaro already has taken a number of steps in Costa Rica to open lines of communication with pertinent government officials concerning the Central Americal Field Study. In September, Ms. Alfaro made a presentation

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concerning the study to a group in Costa Rica that includes most government officials having responsibility for health and environmental issues. The group also includes budgetary and legal representatives of the Costa Rican government. Ms. Alfaro is scheduled to provide a progress report to the same group in December.

In addition, Ms. Alfaro has met with Dr. Herman Bravo, Costa Rican Minister of Natural Resources, and with two congressman who serve on the Environmental Law Committee. According to Ms. Alfaro, all of the meetings concerning the study have been cordial and productive. She also noted that smoking has not been raised as an issue at any of the meetings in which she has participated.

Ms. Alfaro also mentioned that Channel 7, one of the leading television stations in Costa Rica, has expressed interest in filming some of the field work conducted as part of the study in anticipation of developing a program promoting the study's results. To facilitate the development of similar programs by other television stations in Costa Rica and elsewhere, we agreed to look into the possibility of filming a portion of the field work ourselves and taking photographs that eventually could be used in print media.

As part of the promotional effort on the study, Ms. Alfaro would like to write -- before the study begins -- a series of articles describing common sources of indoor and ambient air pollution and describing the purposes of the

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Central American Field Study. We also discussed the possibility of arranging a meeting of the University contacts she has made for the study in Panama, El Salvador, Nicaragua and Honduras to discuss the assistance those individuals might render in promoting the study's results. After some discussion, we agreed that no pre-study promotional efforts should be undertaken outside Costa Rica until we have had an opportunity to consult with industry representatives from the other "target" countries concerning how best to use and promote the study results in those countries.

The following "action items," not discussed above, also emerged in our discussions of the Central American Field Study:

- We are to send to Ms. Alfaro a full set of materials on CIAR, including a list of all CIAR funded projects.
- Ms. Alfaro will provide to us a list of the media representatives within Costa Rica with whom contacts should be made concerning the study. The industry will prepare and send to us a comparable list.
- Industry representatives also will provide to us a list of the government officials with whom Ms. Alfaro should establish contact concerning the study. The industry will attempt to identify a list of potential allies on public and workplace smoking who might benefit from a briefing on Ms. Alfaro's work.

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• Ms. Alfaro is to prepare a list of scientific meetings scheduled to be held in Costa Rica over the next year at which the results of the study might be presented. Once we have received the list, we are to consider the possibility of arranging for Dr. Carlos Alvarez from Argentina to assist with one or more of the presentations, with Ms. Alfaro focusing on the study results and Dr. Alvarez addressing related health effects issues. This is to include any scheduled meetings of the Costa Rican National Congress of Medicine.

• We agreed to permit Ms. Alfaro to spend US$2,000 out of the study budget to acquire the computer equipment and program that will be needed to analyze the study's results.

3. Possible Heating/Cooking Study in Guatemala. Dr. Gonzalez has raised with Ms. Alfaro the possibility of his undertaking a study of the pollution levels in Guatemalan households caused by the use of biomass fuels for heating and cooking. Dr. Gonzalez reportedly would be prepared to undertake such a study for US$5,000. It was agreed that we should talk with Dr. Gonzalez concerning this idea, attempting to develop a full proposal by the time of the consultants meeting that has been scheduled for January 28 and 29 in Viña del Mar.

4. McGill Distribution. It was agreed that industry representatives from Costa Rica and Guatemala would review, and refine if appropriate, the lists prepared several months ago for distribution of the Spanish-language version of the McGill monograph. Although Ms. Alfaro and Dr. Gonzalez

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are to provide a comparable list, the industry representatives are tentatively of the view that the bulk of the McGill distribution in Costa Rica and Guatemala should be handled by the industry rather than our consultants in those countries.

5. *Other People's Tobacco Smoke*. We are to send to our industry contacts in Costa Rica and Guatemala copies of *Other People's Tobacco Smoke*. After having reviewed the book, they will let us know whether they recommend that the book be translated into Spanish.

6. Further Recruitment. It was agreed that Ms. Alfaro would begin making discreet inquiries among her friends in the Costa Rican medical community for a possible medical consultant. Ms. Alfaro is to inquire, in that connection, concerning the status of the lead study currently being conducted in Costa Rica.

7. Regional ETS/Indoor Air Quality Symposium during 1993. The industry representatives who attended the meetings in San José are not inclined to support the holding during 1993 of a regional ETS/indoor air symposium. Their current preference is to devote the available resources to the initiatives discussed above.

8. Possible Costa Rican Journalist Visit to the United States. It was agreed that the industry in Costa Rica would consider the possibility of sending a Costa Rican journalist to Washington sometime during 1993 for a briefing

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on tobacco issues. Ideally, the journalist should be accompanied by Diane Leiva.

9. Smoking Restrictions at the Miami Airport. We discussed at length the problems presented in Central America by the smoking restrictions in effect at the Miami International Airport -- and, even more, by the incessant reminder of those restrictions carried over the airport loudspeaker system. We are to talk with Tobacco Institute representatives in the United States about that issue and be prepared at the industry meeting that will be held in Miami to offer recommendations on what industry representatives outside the United States might do to support the United States Tobacco Institute's efforts concerning the restrictions (and announcements).

10. Possible EEC Study Funding. We are to inquire into the possibility of obtaining funding from the EEC for additional scientific studies in Central America.

11. Monthly Reports. We agreed to prepare on a monthly basis a summary report on Central American consultant activities.

12. International Press Responses. Finally, we discussed at the meetings in San José the importance of our developing a mechanism for neutralizing the damage being done to the industry's position in Central America of "negative" stories carried by the international wire services and

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"feeder" press. This is to be discussed further at the January industry meeting in Miami.

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Tabla 1
Edificios Visitados

Edificio	Personas Encuestadas	Fecha	Edad del Edificio (años)	Tipo de Edificio	No. de pisos en Edificio
UNA	15	25/8/92	~10	Cemento, con divisiones de madera.	4
Asamblea Legislativa	14	2/9/92	>40	Mixto: ladrillo, adobe, piedra, madera y concreto.	3
Museo Nacional	31	8/9/92	60-70	Mixto: ladrillo, adobe, piedra, madera y concreto.	3
Ministerio de Trabajo y Seguridad Social	10	17/9/92	~20	Mixto: concreto y divisiones de madera.	7
Banco Central de Costa Rica	15	23/9/92	~30	Mixto: Concreto, divisiones de madera, fachada en vidrio y aluminio.	8
Ministerio de Educación Pública (Raventós)	22	29/9/92	~20	Mixto: concreto y divisiones de madera.	8

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Edificio	Personas Encuesta-das	Fecha	Edad del Edificio (años)	Tipo de Edificio	No. de pisos en Edificio
Caja Costarricense de Seguro Social	23	7/10/92	~30	Concreto, divisiones internas tipo Panelex.	10
Ministerio de Justicia y Gracia	20	7/10/92	~30	Concreto, divisiones internas en madera.	2

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